

ASSEMBLY BILL

No. 696

Introduced by Assembly Member Chu

February 17, 2005

An act to add Sections 18901.55, 18920, and 18926 to, to repeal Sections 11265.2, 11265.3, and 18910 of, to repeal Chapter 4.6 (commencing with Section 10830) of Part 2 of Division 9 of, and to repeal and add Section 11265.1 of, the Welfare and Institutions Code, relating to public social services.

LEGISLATIVE COUNSEL'S DIGEST

AB 696, as introduced, Chu. Public social services: CalWORKs and Food Stamp Program.

(1) Existing law provides for the California Work Opportunity and Responsibility to Kids (CalWORKs) program under which each county provides cash assistance and other benefits to qualified low-income families and individuals. Under existing law, the a county is required to make an annual redetermination of eligibility for purposes of CalWORKs benefits, and is additionally required to redetermine recipient eligibility and grant amounts on a quarterly basis.

This bill would replace the quarterly redetermination requirement with a semiannual redetermination requirement, and would make conforming changes.

Existing law continuously appropriates moneys from the General Fund to defray a portion of county costs under the CalWORKs program.

This bill would instead provide that the continuous appropriation would not be made for purposes of implementing the bill.

(2) Existing law requires the department and the California Health and Human Services Agency Data Center to design, implement, and maintain a statewide fingerprint imaging system for use in connection with the determination of eligibility for benefits under the Food Stamp Program and other social services programs.

This bill would delete this requirement.

(3) Existing law provides for the federal Food Stamp Program, under which each county distributes food stamps provided by the federal government to eligible households.

Existing law also provides for the Medi-Cal program, which is administered by the State Department of Health Services, pursuant to which medical benefits are provided to public assistance recipients and other low-income persons.

Under existing law, the State Department of Social Services is required to develop a program of categorical eligibility under the Food Stamp Program for persons receiving certain cash assistance for indigent persons.

This bill would require the department to establish a similar categorical eligibility program for recipients of benefits under the Medi-Cal program, including appropriate referral services for eligible individuals.

This bill would require the department to undertake various actions to improve the Food Stamp Program at the state and county levels with respect to customer service and performance standards, including, among other things, development of mail-in application procedures for the program.

(4) Existing federal regulations limit participation in the Food Stamp Program to 3 months during any 3-year period, unless a designated exemption, waiver, or other exception applies.

This bill would require the department to seek a waiver from the Food and Nutrition Service of the United States Department of Agriculture of the 3-month time limit for participation in the Food Stamp Program, in accordance with federal regulations. The bill would require the waiver to apply statewide or to applicable counties, based on the supporting data that is provided by the department.

(5) Because counties administer the CalWORKs program and Food Stamp Program, this bill would increase county duties by potentially extending the period of eligibility for these programs for certain recipients, and would thereby impose a state-mandated local program.

(6) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 4.6 (commencing with Section 10830)
2 of Part 2 of Division 9 of the Welfare and Institutions Code is
3 repealed.

4 SEC. 2. Section 11265.1 of the Welfare and Institutions Code,
5 as amended by Section 1 of Chapter 826 of the Statutes of 1999,
6 is repealed.

7 ~~11265.1. (a) Except as provided in Section 11265.5, in~~
8 ~~addition to the requirement for the annual redetermination of~~
9 ~~eligibility, the department shall establish regulations consistent~~
10 ~~with federal law to implement a recipient monthly reporting~~
11 ~~system for use in determining monthly eligibility and the amount~~
12 ~~of the grant. The department shall define what constitutes a~~
13 ~~complete report and shall specify the deadlines for submitting a~~
14 ~~complete report, as well as the consequences of, and good cause~~
15 ~~for, failure to submit a complete report. The department shall~~
16 ~~adopt fair and equitable regulations implementing the monthly~~
17 ~~reporting requirement.~~

18 ~~(b) This section shall become inoperative on the date that the~~
19 ~~director executes a declaration stating that Section 11265.2, as~~
20 ~~added by the act adding this subdivision, is fully implemented~~
21 ~~statewide, and shall be repealed on January 1 of the year~~
22 ~~following the year in which it becomes inoperative.~~

23 SEC. 3. Section 11265.1 of the Welfare and Institutions Code,
24 as added by Section 30 of Chapter 1022 of the Statutes of 2002,
25 is repealed.

26 ~~11265.1. (a) In addition to the requirement for an annual~~
27 ~~redetermination of eligibility, counties shall redetermine recipient~~

1 eligibility and grant amounts on a quarterly basis using
2 prospective budgeting. Counties shall use the information
3 reported on a recipient's quarterly report form to prospectively
4 determine eligibility and grant amount for the following quarterly
5 reporting period:

6 (b) A quarterly reporting period shall be three consecutive
7 calendar months. The recipient shall submit one quarterly report
8 form for each quarterly reporting period. Counties shall provide a
9 quarterly report form to recipients at the end of the second month
10 of the quarterly reporting period, and recipients shall return the
11 completed quarterly report form with required verification to the
12 county by the 11th day of the third month of the quarterly
13 reporting period.

14 (c) Counties may establish staggered quarterly reporting
15 cycles based on factors established or approved by the
16 department, including, but not limited to, application date or case
17 number.

18 (d) The quarterly report form shall be signed under penalty of
19 perjury, and shall include only information necessary to
20 determine CalWORKs and food stamp eligibility and calculate
21 the CalWORKs grant amount and food stamp allotment, as
22 specified by the department. The form shall be as
23 comprehensible as possible for recipients and shall require
24 recipients to provide the following:

25 (1) Information about income received during the second
26 month of the quarterly reporting period.

27 (2) Information about income that the recipient anticipates
28 receiving during the following quarterly reporting period.

29 (3) Any other changes to facts required to be reported,
30 together with any changes to those facts that the recipient
31 anticipates will occur. The recipient shall provide verification as
32 specified by the department with the quarterly report form.

33 (e) A quarterly report form shall be considered complete if the
34 following requirements, as specified by the department, are met:

35 (1) The form is signed no earlier than the first day of the third
36 month of the quarterly reporting period by the persons specified
37 by the department.

38 (2) All questions and items pertaining to CalWORKs and food
39 stamp eligibility and grant amount are answered.

40 (3) Verification required by the department is provided.

1 ~~(f) If a recipient fails to submit a complete quarterly report~~
2 ~~form, as defined in subdivision (e), by the 11th day of the third~~
3 ~~month of the quarterly reporting period, the county shall provide~~
4 ~~the recipient with a notice that the county will terminate benefits~~
5 ~~at the end of the month. Prior to terminating benefits, the county~~
6 ~~shall attempt to make personal contact to remind the recipient~~
7 ~~that a completed report is due, or, if contact is not made, shall~~
8 ~~send a reminder notice to the recipient no later than five days~~
9 ~~prior to the end of the month. Any discontinuance notice shall be~~
10 ~~rescinded if a complete report is received by the first working~~
11 ~~day of the first month of the following quarterly reporting period.~~

12 ~~(g) The county may determine, at any time prior to the last day~~
13 ~~of the calendar month following discontinuance for~~
14 ~~nonsubmission of a quarterly report form, that a recipient had~~
15 ~~good cause for failing to submit a complete quarterly report form,~~
16 ~~as defined in subdivision (e), by the first working day of the~~
17 ~~month following discontinuance. If the county finds a recipient~~
18 ~~had good cause, as defined by the department, it shall rescind the~~
19 ~~discontinuance notice. Good cause exists only when the recipient~~
20 ~~cannot reasonably be expected to fulfill his or her reporting~~
21 ~~responsibilities due to factors outside of the recipient's control.~~

22 SEC. 4. Section 11265.1 is added to the Welfare and
23 Institutions Code, to read:

24 11265.1. (a) In addition to the requirement for an annual
25 redetermination of eligibility, counties shall redetermine recipient
26 eligibility and grant amounts on a semiannual basis using
27 prospective budgeting. Counties shall use the information
28 reported on a recipient's semiannual report form to prospectively
29 determine eligibility and grant amount for the following
30 semiannual reporting period.

31 (b) A semiannual reporting period shall be six consecutive
32 calendar months. The recipient shall submit one semiannual
33 report form for each reporting period. Counties shall provide a
34 semiannual report form to recipients at the end of the fourth
35 month of the semiannual reporting period, and recipients shall
36 return the completed semiannual report form with required
37 verification to the county by the 11th day of the fifth month of
38 the semiannual reporting period.

39 (c) Counties may establish staggered semiannual reporting
40 cycles based on factors established or approved by the

1 department, including, but not limited to, application date or case
2 number.

3 (d) The semiannual report form shall be signed under penalty
4 of perjury, and shall include only information necessary to
5 determine CalWORKs and food stamp eligibility and calculate
6 the CalWORKs grant amount and food stamp allotment, as
7 specified by the department. The form shall be as
8 comprehensible as possible for recipients and shall require
9 recipients to provide the following:

10 (1) Information about income received during the fourth
11 month of the semiannual reporting period.

12 (2) Information about income that the recipient anticipates
13 receiving during the following semiannual reporting period.

14 (3) Any other changes to facts required to be reported,
15 together with any changes to those facts that the recipient
16 anticipates will occur. The recipient shall provide verification as
17 specified by the department with the semiannual report form.

18 (e) A semiannual report form shall be considered complete if
19 the following requirements, as specified by the department, are
20 met:

21 (1) The form is signed no earlier than the first day of the fifth
22 month of the quarterly reporting period by the persons specified
23 by the department.

24 (2) All questions and items pertaining to CalWORKs and food
25 stamp eligibility and grant amount are answered.

26 (3) Verification required by the department is provided.

27 (f) If a recipient fails to submit a complete semiannual report
28 form, as defined in subdivision (e), by the 11th day of the fifth
29 month of the semiannual reporting period, the county shall
30 provide the recipient with a notice that the county will terminate
31 benefits at the end of the month. Prior to terminating benefits, the
32 county shall attempt to make personal contact to remind the
33 recipient that a completed report is due, or, if contact is not made,
34 shall send a reminder notice to the recipient no later than five
35 days prior to the end of the month. Any discontinuance notice
36 shall be rescinded if a complete report is received by the first
37 working day of the first month of the following semiannual
38 reporting period.

39 (g) The county may determine, at any time prior to the last day
40 of the calendar month following discontinuance for

1 nonsubmission of a quarterly report form, that a recipient had
2 good cause for failing to submit a complete semiannual report
3 form, as defined in subdivision (e), by the first working day of
4 the month following discontinuance. If the county finds a
5 recipient had good cause, as defined by the department, it shall
6 rescind the discontinuance notice. Good cause exists only when
7 the recipient cannot reasonably be expected to fulfill his or her
8 reporting responsibilities due to factors outside of the recipient's
9 control.

10 SEC. 5. Section 11265.2 of the Welfare and Institutions Code,
11 as amended by Section 30 of Chapter 108 of the Statutes of 2000,
12 is repealed.

13 ~~11265.2. (a) (1) Notwithstanding any other provision of law,~~
14 ~~commencing July 1, 2000, subject to the agreement of the local~~
15 ~~district attorney, Los Angeles County and up to eight counties~~
16 ~~selected by the department may implement this section.~~

17 ~~(2) Subject to paragraph (3) and notwithstanding any other~~
18 ~~provision of law, all counties that have not implemented this~~
19 ~~section pursuant to paragraph (1) may begin implementation of~~
20 ~~this section on January 1, 2005, and shall complete~~
21 ~~implementation of this section no later than January 1, 2006. This~~
22 ~~paragraph shall become inoperative on January 1, 2005.~~

23 ~~(3) Counties participating in the eligibility simplification~~
24 ~~project under Section 11265.6 may delay implementation of this~~
25 ~~section until the expiration of the eligibility simplification project~~
26 ~~if implementation of this section would be inconsistent with the~~
27 ~~federal approval of the eligibility simplification project.~~

28 ~~(4) On or before January 1, 2004, the department shall~~
29 ~~evaluate the impact of this section in a sufficient number of~~
30 ~~participating counties to reliably describe this section's impact.~~
31 ~~The department shall collaborate with the Office of Criminal~~
32 ~~Justice Planning in conducting the program integrity aspects of~~
33 ~~this evaluation.~~

34 ~~(b) Each county shall conduct an annual eligibility~~
35 ~~redetermination. A county shall be required to have a~~
36 ~~face-to-face interview with the recipient at the redetermination,~~
37 ~~unless the recipient has regular contact with the county through~~
38 ~~CalWORKs or other similar programs. Subsequent face-to-face~~
39 ~~interviews for any recipient for purposes related to verification of~~

1 eligibility or the provision of CalWORKs services may be
2 conducted at the county's discretion.

3 (e) Each county shall redetermine the financial eligibility of
4 each recipient on a quarterly basis.

5 (d) (1) A recipient shall report, in writing, to the county
6 within 10 days any change in resources, his or her household's
7 monthly income, including source of income, his or her address,
8 or the composition of his or her household if the report would be
9 required under the federal food stamp reporting requirement for
10 nonmonthly reporting households. The county shall recalculate
11 an assistance unit's grant level only upon the report of any
12 required change, provided that the department obtains the
13 appropriate waiver, as specified in subdivision (i). If the United
14 States Department of Agriculture denies this waiver, counties
15 shall recalculate an assistance unit's grant level based upon any
16 reported changes.

17 (2) Each quarter the recipient shall complete a quarterly report
18 which shall be signed under penalty of perjury. The report shall
19 include all information necessary from the quarterly report month
20 to determine financial eligibility.

21 (3) For each of the first two months covered by the quarterly
22 report, the recipient shall state whether there was any income,
23 and for each type of reportable change listed in paragraph (1),
24 other than a change of address, whether such a change occurred,
25 and if so, whether the change was reported in writing. If the
26 recipient states that a reportable change occurred during the first
27 two months covered by the quarterly report and was not reported
28 in writing or the county has no record that a recipient made a
29 written report, it shall require that the information that should
30 have been reported pursuant to paragraph (1) be reported in
31 writing and under penalty of perjury within 10 days of receiving
32 notice from the county. A failure to provide the report required
33 by this paragraph within the 10-day period shall result in a
34 termination of benefits, after receiving notice from the county as
35 required by state and federal law.

36 (4) (A) If the recipient fails to submit a quarterly report by the
37 date prescribed by the department, the county shall provide the
38 recipient with a notice, as required by the department, that the
39 county will terminate benefits.

1 ~~(B) Prior to terminating benefits, the county shall attempt to~~
2 ~~make personal contact to remind the recipient that a completed~~
3 ~~report is due, or, if contact is not made, shall send a reminder~~
4 ~~notice to the recipient.~~

5 ~~(C) Any discontinuance notice shall be rescinded and aid shall~~
6 ~~be restored if the report is received by the first working day of~~
7 ~~the month for which aid is paid based on submission of the~~
8 ~~quarterly report.~~

9 ~~(e) In recalculating the amount of a recipient's grant pursuant~~
10 ~~to this section, including the timing and provision of any~~
11 ~~supplementary payment, changes in the grant amount shall be~~
12 ~~made on a prospective basis pursuant to food stamp regulations~~
13 ~~for nonmonthly reporting households.~~

14 ~~(f) Counties shall provide a mechanism for recipients to retain~~
15 ~~written documentation of the contents of the report, pursuant to~~
16 ~~minimum standards established by the department.~~

17 ~~(g) The department shall define what constitutes a complete~~
18 ~~report, and shall specify the deadlines for submitting a complete~~
19 ~~report, as well as the consequences of, and good cause for, failure~~
20 ~~to submit a complete report.~~

21 ~~(h) In determining overpayments and underpayments, the~~
22 ~~county shall use the federal food stamp regulations that are used~~
23 ~~to determine overissuances and underissuances for nonmonthly~~
24 ~~reporting households.~~

25 ~~(i) The department shall seek all necessary waivers from the~~
26 ~~United States Department of Agriculture to conform the Food~~
27 ~~Stamp Program requirements to the provisions of this section and~~
28 ~~to increase the income reporting amount for nonmonthly~~
29 ~~reporting households to one hundred dollars (\$100).~~

30 ~~(j) Notwithstanding the Administrative Procedure Act~~
31 ~~(Chapter 3.5 (commencing with Section 11340) of Part 1 of~~
32 ~~Division 3 of Title 2 of the Government Code), until the~~
33 ~~department may implement a reporting and budgeting system, as~~
34 ~~described in this section, through an all county letter or similar~~
35 ~~instructions from the director for up to six months from the date~~
36 ~~of initial implementation.~~

37 ~~(k) The department shall adopt regulations to implement this~~
38 ~~section no later than six months from the date of initial~~
39 ~~implementation. Emergency regulations adopted for~~
40 ~~implementation of the applicable provisions of this section may~~

1 be adopted by the director in accordance with the Administrative
2 Procedure Act. The initial adoption of emergency regulations and
3 one re-adoption of these regulations shall be deemed to be an
4 emergency and necessary for immediate preservation of the
5 public peace, health and safety, or general welfare. Initial
6 emergency regulations shall be exempt from review by the Office
7 of Administrative Law. The emergency regulations authorized by
8 this section shall be submitted to the Office of Administrative
9 Law for filing with the Secretary of State and shall remain in
10 effect for no more than 180 days.

11 (f) This section shall remain in effect only until January 1,
12 2006, and as of that date is repealed, unless a later enacted statute
13 that is enacted on or before January 1, 2006, extends or deletes
14 that date.

15 SEC. 6. Section 11265.2 of the Welfare and Institutions Code,
16 as added by Section 32 of Chapter 1022 of the Statutes of 2002,
17 is repealed.

18 ~~11265.2.~~ (a) The grant amount a recipient shall be entitled to
19 receive for each month of the quarterly reporting period shall be
20 prospectively determined as provided by this section. If a
21 recipient reports that he or she does not anticipate any changes in
22 income during the upcoming quarter, compared to the income the
23 recipient reported actually receiving on the quarterly report form,
24 the grant shall be calculated using the actual income received. If
25 a recipient reports that he or she anticipates a change in income
26 in one or more months of the upcoming quarter, the county shall
27 determine whether the recipient's income is reasonably
28 anticipated. The grant shall be calculated using the income that
29 the county determines is reasonably anticipated in each of the
30 three months of the upcoming quarter.

31 (b) For the purposes of the quarterly reporting, prospective
32 budgeting system, income shall be considered to be "reasonably
33 anticipated" if the county is reasonably certain of the amount of
34 income and that the income will be received during the quarterly
35 reporting period. The county shall determine what income is
36 "reasonably anticipated" based on information provided by the
37 recipient and any other available information.

38 (c) If a recipient reports that their income in the upcoming
39 quarter will be different each month and the county needs
40 additional information to determine a recipient's reasonably

1 anticipated income for the following quarter, the county may
2 require the recipient to provide information about income for
3 each month of the prior quarter.

4 ~~(d) Grant calculations pursuant to subdivision (a) may not be
5 revised to adjust the grant amount during the quarterly reporting
6 period, except as provided in Section 11265.3 and subdivisions
7 (e), (f), (g), and (h), and as otherwise established by the
8 department.~~

9 ~~(e) Notwithstanding subdivision (d), statutes and regulations
10 relating to (1) the 60-month time limit, (2) age limitations for
11 children under Section 11253, and (3) sanctions and financial
12 penalties affecting eligibility or grant amount shall be applicable
13 as provided in such statutes and regulations. Eligibility and grant
14 amount shall be adjusted during the quarterly reporting period
15 pursuant to such statutes and regulations effective with the first
16 monthly grant after timely and adequate notice is provided.~~

17 ~~(f) Notwithstanding Section 11056, if an applicant applies for
18 assistance for a child who is currently aided in another assistance
19 unit, and the county determines that the applicant has care and
20 control of the child, as specified by the department, and is
21 otherwise eligible, the county shall discontinue aid to the child in
22 the existing assistance unit and shall aid the child in the
23 applicant's assistance unit effective as of the first of the month
24 following the discontinuance of the child from the existing
25 assistance unit.~~

26 ~~(g) If the county is notified that a child for whom CalWORKs
27 assistance is currently being paid has been placed in a foster care
28 home, the county shall discontinue aid to the child at the end of
29 the month of placement. The county shall discontinue the case if
30 the remaining assistance unit members are not otherwise eligible.~~

31 ~~(h) If the county determines that a recipient is no longer a
32 California resident, pursuant to Section 11100, the recipient shall
33 be discontinued. The county shall discontinue the case if the
34 remaining assistance unit members are not otherwise eligible.~~

35 SEC. 7. Section 11265.3 of the Welfare and Institutions Code
36 is repealed.

37 ~~11265.3. (a) In addition to submitting the quarterly report
38 form as required in Section 11265.1, during the quarterly
39 reporting period, a recipient shall report the following changes to
40 the county orally or in writing, within 10 days of the change:~~

1 ~~(1) The receipt at any time during a quarterly reporting period~~
2 ~~of income, as provided by the department, in an amount that is~~
3 ~~likely to render the recipient ineligible, as provided by the~~
4 ~~department.~~

5 ~~(2) The occurrence at any time during a quarterly reporting~~
6 ~~period of a drug felony conviction as specified in Section~~
7 ~~11251.3.~~

8 ~~(3) The occurrence, at any time during a quarterly reporting~~
9 ~~period, of an individual fleeing prosecution or custody or~~
10 ~~confinement, or violating a condition of probation or parole as~~
11 ~~specified in Section 11486.5.~~

12 ~~(b) Counties shall inform each recipient of the duty to report~~
13 ~~under paragraph (1) of subdivision (a), the consequences of~~
14 ~~failing to report, and the amount of income likely to render the~~
15 ~~family ineligible for benefits no less frequently than once per~~
16 ~~quarter.~~

17 ~~(c) When a recipient reports income pursuant to paragraph (1)~~
18 ~~of subdivision (a) the county shall redetermine eligibility and~~
19 ~~grant amounts as follows:~~

20 ~~(1) If the recipient reports a change for the first or second~~
21 ~~month of a current quarterly reporting period, the county shall~~
22 ~~verify the report and determine if the recipient is financially~~
23 ~~ineligible. If the recipient is determined to be financially~~
24 ~~ineligible based on this income, the county shall discontinue the~~
25 ~~recipient after timely and adequate notice in accordance with~~
26 ~~rules applicable to the federal Food Stamp program.~~

27 ~~(2) If the recipient reports a change for the third month of a~~
28 ~~current quarterly reporting period, the county shall not~~
29 ~~redetermine eligibility for the current quarterly reporting period,~~
30 ~~but shall redetermine eligibility and grant amount for the~~
31 ~~following quarterly reporting period as provided in Section~~
32 ~~11265.2.~~

33 ~~(d) (1) During the quarterly reporting period, a recipient may~~
34 ~~report to the county, orally or in writing, any changes in income~~
35 ~~or household circumstances that may increase the recipient's~~
36 ~~grant.~~

37 ~~(2) Counties shall act upon changes in income reported during~~
38 ~~the quarterly reporting period that result in an increase in~~
39 ~~benefits, after verification specified by the department is~~
40 ~~received. Reported changes in income that increase the grant~~

1 shall be effective for the entire month in which the change is
2 reported. If the reported change in income results in an increase
3 in benefits, the county shall issue the increased benefit amount
4 within 10 days of receiving required verification.

5 (3) (A) When a decrease in gross monthly income is
6 voluntarily reported and verified, the county shall redetermine
7 the grant for the current month and any remaining months in the
8 quarterly reporting period by averaging the actual gross monthly
9 income reported and verified from the voluntary report for the
10 current month and the gross monthly income that is reasonably
11 anticipated for any future month remaining in the quarterly
12 reporting period.

13 (B) When the average is determined pursuant to subparagraph
14 (A), and a grant amount is calculated based upon the averaged
15 income, if the grant amount is higher than the grant currently in
16 effect, the county shall revise the grant for the current month and
17 any remaining months in the quarter to the higher amount and
18 shall issue any increased benefit amount as provided in paragraph
19 (2).

20 (4) Except as provided in subdivision (c), counties shall act
21 only upon changes in household composition voluntarily reported
22 by the recipients during the quarterly reporting period that result
23 in an increase in benefits, after verification specified by the
24 department is received. If the reported change in household
25 composition is for the first or second month of the quarterly
26 reporting period and results in an increase in benefits, the county
27 shall redetermine the grant effective for the month following the
28 month in which the change was reported. If the reported change
29 in household composition is for the third month of a quarterly
30 reporting period, the county shall not redetermine the grant for
31 the current quarterly reporting period, but shall redetermine the
32 grant for the following reporting period as provided in Section
33 11265.2.

34 (e) During the quarterly reporting period, a recipient may
35 request that the county discontinue the recipient's entire
36 assistance unit or any individual member of the assistance unit
37 who is no longer in the home or is an optional member of the
38 assistance unit. If the recipient's request was verbal, the county
39 shall provide a 10-day notice before discontinuing benefits. If the
40 recipient's report was in writing, the county shall discontinue

1 ~~benefits effective the end of the month in which the request is~~
2 ~~made, and simultaneously issue a notice informing the recipient~~
3 ~~of the discontinuance.~~

4 ~~(f) The department, in consultation with the County Welfare~~
5 ~~Directors Association (CWDA), shall report to the relevant~~
6 ~~policy and fiscal committees of the Legislature in April 2005~~
7 ~~regarding the effects upon program efficiency and integrity of~~
8 ~~implementation of the midquarter reporting requirement set forth~~
9 ~~in subdivision (a). The report shall be based on data collected by~~
10 ~~CWDA and select counties. The department, in consultation with~~
11 ~~CWDA, shall determine the data collection needs required to~~
12 ~~assess the effects of the specified midquarter report.~~

13 SEC. 8. Section 18901.55 is added to the Welfare and
14 Institutions Code, to read:

15 18901.55. (a) The department shall establish a program of
16 categorical eligibility for food stamps for any individual
17 receiving medical assistance under Chapter 7 (commencing with
18 Section 14000). The program shall include all necessary referral
19 services for those eligible persons.

20 (b) The director shall implement the program established
21 pursuant to this section only with the appropriate federal
22 authorization and if implementation would not result in the loss
23 of federal financial participation.

24 SEC. 9. Section 18910 of the Welfare and Institutions Code is
25 repealed.

26 ~~18910. (a) To the extent permitted by federal law,~~
27 ~~regulations, waivers, and directives, the department shall~~
28 ~~implement the prospective budgeting, quarterly reporting system~~
29 ~~provided in Sections 11265.1, 11265.2, and 11265.3, and related~~
30 ~~provisions regarding the Food Stamp Program, in a cost-effective~~
31 ~~manner that promotes compatibility between the CalWORKs~~
32 ~~program and the Food Stamp Program, and minimizes the~~
33 ~~potential for payment errors.~~

34 ~~(b) The department shall seek all necessary waivers from the~~
35 ~~United States Department of Agriculture to implement~~
36 ~~subdivision (a).~~

37 SEC. 10. Section 18920 is added to the Welfare and
38 Institutions Code, to read:

1 18920. To the extent permitted by federal law, the department
2 shall take all the following actions to improve the Food Stamp
3 Program at the state and county levels:

4 (a) Seek appropriate waivers from the Food Nutrition Service
5 of the United States Department of Agriculture to reduce
6 verification burdens on applicants.

7 (b) Adapt the revised food stamp allocation required under
8 Section 18901.8, to create an application suitable for mail-in
9 application and other out of office uses.

10 (c) Develop a standardized mail-in packet for applicant and
11 develop procedures for administrators handling mail-in cases and
12 out-of-office cases.

13 (d) Develop customer standards, in conjunction with advocates
14 and administrators, including, but not limited to, the following
15 subjects:

16 (1) Making application processing more efficient.

17 (2) Shortening customer office waiting time.

18 (3) Limiting the number of office visits required by customers.

19 (4) Providing for the issuance of mail-in applications.

20 (5) Ensuring the timeliness of worker response to customers.

21 (6) Improving accessibility of workers by telephone or
22 electronic mail.

23 (7) Developing and conducting appropriate customer surveys.

24 SEC. 11. Section 18926 is added to the Welfare and
25 Institutions Code, to read:

26 18926. In accordance with Section 273.24(f) of Part 7 of the
27 Code of Federal Regulations, the department shall seek a waiver
28 from the Food and Nutrition Service of the United States
29 Department of Agriculture of the three-month time limit
30 contained in Section 273.24(b) of that part for participation of
31 certain beneficiaries in the Food Stamp Program. The waiver
32 shall be applicable statewide, or for all eligible counties
33 identified in the department's supporting data.

34 SEC. 12. No appropriation for purposes of Section 15200 of
35 the Welfare and Institutions Code shall be made for purposes of
36 implementing this act.

37 SEC. 13. If the Commission on State Mandates determines
38 that this act contains costs mandated by the state, reimbursement
39 to local agencies and school districts for those costs shall be

- 1 made pursuant to Part 7 (commencing with Section 17500) of
- 2 Division 4 of Title 2 of the Government Code.

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